

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

v.

Case No. 03-C-1427

JILAIN H. BAUER,

Defendant.

**ORDER GRANTING DEFENDANT'S RULE 7.4 EXPEDITED MOTION TO STAY
PROCEEDINGS (Doc. # 438) AND REVISING BRIEFING SCHEDULE**

On October 7, 2008, the defendant filed a motion to stay proceedings on plaintiff's Motion for Motion for Summary Judgment on Disclosure Issues. The defendant seeks to stay further briefing on that motion until the parties' cross motions for summary judgement on insider trading claims are resolved.

At a status conference on May 6, 2008, this court permitted the parties to file cross motions for summary judgment on the insider trading claim. The defendant filed her summary judgment motion (Doc. # 399) on May 3, 2008, and the plaintiff filed its cross motion (Doc. # 411) on June 20, 2008. The plaintiff indicated that it intended to file for summary judgment on its remaining claims as well. The court informed the parties that it will attempt to resolve the motions related to insider trading first, but permitted the plaintiff to file an additional summary judgment motion within ninety days. The plaintiff's second summary judgment motion (Doc. # 433) was filed on September 24, 2008.

The defendant's motion to stay proceedings argues that resolution of the insider trading claim may help the parties negotiate the remaining matters. Given that she is funding her own defense and lacks consistent employment, the defendant asserts that staying proceedings is necessary to conserve resources. Indeed, the court acknowledged this point during the status conference. The plaintiff opposes the motion, however, asserting that a temporary extension of time to file a response brief is all that is required.

Consistent with the court's statements at the status conference, the insider trading motions will be addressed first. In the chance that resolution of that matter may further the parties' attempt to resolve this case prior to trial, the conservation of resources merits a stay of further briefing—particularly in light of the voluminous submissions to the court on all motions.

Therefore,

IT IS ORDERED that the defendant's Motion to Stay Proceedings on Plaintiff's Motion for Summary Judgment on Disclosure Issues (Doc. # 438) is granted.

IT IS FURTHER ORDERED that proceedings related to the plaintiff's Motion for Summary Judgment on Disclosure Issues (Doc. # 433) are stayed until this court issues decisions on the pending cross motions for summary judgment (Docs. # 399 & 411) or upon further order of the court.

IT IS FURTHER ORDERED that once this court issues decisions on both pending cross motions for summary judgment on the insider trading claim (Docs. # 399 & 411), the defendant shall file her response brief to plaintiff's Motion for Summary Judgment on Disclosure Issues (Doc. # 433) within thirty (30) days of the date of such order. The

plaintiff may file its reply brief within fifteen (15) days of service of the response, pursuant to Civil L.R. 7.1.

Dated at Milwaukee, Wisconsin, this 15th day of October, 2008.

BY THE COURT

/s/ C. N. Clevert, Jr.
C.N. CLEVERT, JR.
U.S. DISTRICT JUDGE